

REMARKS

This submission is responsive to the Office Action mailed May 25, 2005 in connection with the above-identified application.

Claim Rejections 35 U.S.C. § 103

In the Action, claims 1-3, 7 and 9 and 12 were rejected under 35 U.S.C. 103(a) via 35 U.S.C. 102(e) as being unpatentable over Allsop. Claims 4-5 were rejected under 35 U.S.C. 103(a) via 35 U.S.C. 102(e) as being unpatentable over Allsop and in further view of Hunt et al.

In response to the Examiner's rejections, the Applicants submit herewith the Declaration Under 37 C.F.R. 1.131 of Henry Dombrowski and the Declaration Under 37 C.F.R. 1.131 of Anthony Cunningham ("the Declarations"), each with supporting attachments, which establish invention of the subject matter of the claimed invention prior to the 102(e) date of the Allsop reference, i.e. February 13, 2003.

The Declarations are proper for the following reasons:

1. The facts in the Declarations are set forth by all inventors of the claimed invention.
2. Prior invention is established in the United States.
3. The rejected claims of Applicant's invention do not claim the same patentable invention as the Allsop reference.
4. The rejection is not based on a statutory bar as the Allsop publication date is not more than one year prior to Applicant's effective filing date.

The Applicant submits that the Declarations serve to antedate the Allsop publication.

The notarized document attached to each of the Declarations is directed to the invention as instantly claimed. The figure clearly shows the elements as set forth in the present patent application, attention being particularly drawn to Fig. 2, which is a similar exploded view. The elements shown in the notarized document are clearly delineated in the detailed description of the present application beginning at page 10, line 18 through page 11, line 12. These documents demonstrate that the subject invention of the application was reduced to practice by at least December 4, 2004, which is earlier than the 102(e) date of the Allsop reference.

The Applicant submits that the Declarations serve to antedate the Allsop reference, and respectfully requests the withdrawal of the above-noted rejections under 35 U.S.C. § 103(a) via 35 U.S.C. § 102(e) of claims 1-5, 7 and 9 and 12

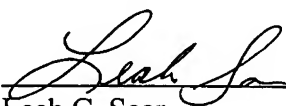
Conclusion

The Applicant respectfully submits that the application now stands in condition for allowance. The Examiner is requested to telephone the undersigned in order to discuss any further objections, allowing Applicant to expedite a response.

Respectfully submitted,

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5/17/05
Date


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